

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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DANIEL FLETCHER, #359391,

Plaintiff,

v.

Case No. 09-13904

MICHAEL BOUCHARD,

Defendant.

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**ORDER STRIKING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff commenced the above-captioned matter on October 2, 2009, by filing a complaint with this court. The court issued a scheduling order on June 15, 2010. The scheduling order set a deadline for "pretrial motions requiring extensive briefing and consideration," including motions for summary judgment under Federal Rule of Civil Procedure 56, of December 15, 2010. (6/15/2010 Order.) No extension to this deadline has been sought or granted. However, on April 13, 2011, Defendant Michael Bouchard filed a motion for summary judgment. As this motion comes well after the deadline previously set by the court and less than one month before the scheduled final pretrial conference, the court will strike the motion as improvidently filed. Accordingly,

IT IS ORDERED that Defendant's motion for summary judgment [Dkt. # 42] is hereby STRICKEN from the docket of this court.

s/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: April 18, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 18, 2011, by electronic and/or ordinary mail.

s/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522